

Special Session

Agenda Item #	3
Meeting Date	September 15, 2008
Prepared By	Daryl Braithwaite Public Works Director
Approved By	Barbara B. Matthews City Manager

Discussion Item	First Reading Ordinance Amending Chapter 16.04 of the <i>Takoma Park Code</i> to Amend Permit Fees for Multi-family, Commercial, Industrial and Institutional Development
Background	<p>On April 14, 2008, the City Council adopted Ordinance No. 2008- 14, amending the Stormwater Code. The amendment required commercial, industrial, and institutional development activities, regardless of size, to receive a stormwater permit effective May 5, 2008. Additionally, fees for multi-family and commercial, industrial, and institutional stormwater permits, which had been mistakenly omitted, were added to the Code, establishing a consistent fee structure.</p> <p>Recently, it came to the City's attention that the fee structure set by Ordinance No. 2008-14 would, in some instances, impose a significantly different fee than that of surrounding jurisdictions. Attached is a chart comparing the fee structure for Rockville, Gaithersburg and Montgomery County.</p> <p>The Public Works Director and the City Engineer recommend that the City Council revise the current permit concept review and permit fees to be more compatible with those of surrounding jurisdictions. A worksession discussion was held on September 8, 2008.</p>
Policy	The Council amends the City Code by a two-reading ordinance.
Fiscal Impact	Staff recommends adding a minimum fee and a maximum fee rate to the existing Code. The results will vary depending upon the development, with some fees increasing and others decreasing under the proposed revised rate structure.
Attachments	<p>Draft Ordinance amending Chapter 16.04 of the City Code</p> <p>Spreadsheet Showing Permit Rates in Surrounding Jurisdictions</p>
Recommendation	Approve the first reading ordinance amending certain stormwater permit fees.
Special Consideration	

Introduced by:

First Reading:

Second Reading:

Effective Date:

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE 2008-

**AMENDING CHAPTER 16.04 OF THE *TAKOMA PARK CODE*
TO AMEND PERMIT FEES FOR MULTI-FAMILY, COMMERCIAL, INDUSTRIAL
AND INSTITUTIONAL DEVELOPMENT**

WHEREAS, the purpose of the Stormwater Code is to protect, maintain and enhance the public health, safety, and general welfare by establishing minimum requirements and procedures to control the adverse impacts associated with increased stormwater runoff within the City; AND

WHEREAS, proper management of stormwater runoff will minimize damage to public and private property, reduce the effects of development on land, control stream channel erosion, reduce local flooding, and maintain after development, as nearly as possible, the pre-development runoff characteristics of the area; AND

WHEREAS, the Stormwater Code was revised, effective May 5, 2008, and fees were amended for multifamily developments and established for commercial, industrial, and institutional developments; AND

WHEREAS, the City's Stormwater review and permit fees vary significantly from the surrounding jurisdictions which have programs and the City Engineer recommends they be revised to be similar.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
TAKOMA PARK, MARYLAND THAT:**

Section 1. Title 16, Chapter 16.04 of the Takoma Park Code be amended as follows:

Section 16.04.170 Fees.

* * *

A. Review Fee. A non-refundable application and plan review fee shall be paid at the time the stormwater management plans are first submitted for technical review. The amount of the review fee shall be as follows:

1. Residential Development.

a. Single family dwellings: \$100.00.

b. Multifamily dwellings: 2 - 20 units, \$20 per unit, with a minimum of \$100.00.

c. Commercial, industrial and institutional development and multifamily dwellings of 21 units or more: \$0.05 per square foot of impervious area. By way of example impervious area includes the roof of a building and paved parking area. Minimum fee \$500, maximum fee \$1,000.

E. Permit Fee.

1. Single-family dwelling: \$500.00.
2. Multifamily dwellings: 2 to 20 units, \$100 per unit, with a minimum fee of \$500.
3. Commercial, industrial and institutional development and multifamily dwellings of 21 units and more: \$0.25 per square foot of impervious area. Minimum fee of \$1,500, maximum fee of \$4,000.

Section 2. This ordinance shall become effective upon adoption.

Adopted this ____ day of ____, 2008 by roll-call vote as follows:

AYES:

NAYS:

ABSTAIN:

ABSENT:

EXPLANATORY NOTE

Additions to the existing language of the Takoma Park Code are indicated by italics and underlining.

Deletions to the existing language of the Takoma Park Code are indicated by ~~strikeout~~.

COMPARISON OF STORMWATER PERMIT FEES OF SURROUNDING JURISDICTIONS

Gaithersburg	Concept Review	Permit Fee	
Single Family		\$ 500	\$150 + 10% of cost of construction of SW facilities
2-5 acres		\$ 750	minimum \$200
> 5 acres		\$ 1,500	"
Rockville	Concept Review	Permit Fee	
up to 2 acres		\$ 250	10% of cost of construction of SW facilities - minimum \$200
2-5 acres		\$ 500	"
> 5 acres		\$ 1,000	"
Montgomery County	Concept Review **	Permit Fee ** ** Combines Stormwater & Sediment Control	
Single Family		\$ 1,140	\$ 693 plus \$0.062 per sq ft of disturbed area
< 25 acres		\$ 2,684	\$ 1,391
> 25 acres		\$ 3,432	\$ 1,391
CURRENT CITY CODE	Concept Review	Permit Fee	
Single Family		\$ 100	\$ 500
Multi-Family	\$20/unit, min. \$100		\$100/unit, min. \$500
Com., Indust., Instit.	\$0.05 per sq ft of impervious area		\$0.25 per sq. ft. of impervious area
Proposed City Code	Concept Review	Permit Fee	
Single Family	no change		no change
Multi-Family	no change		no change
Com., Indust., Instit.	\$0.05 per sq ft of impervious area		\$0.25 per sq. ft. of impervious area
	Minimum \$500, maximum \$1,000		minimum \$1,500, maximum \$4,000

Example 1 - 2 acre commercial development, no existing building, total impervious surface equal to 5,000 square foot, cost of SW system \$25,000

Gaithersburg	\$750, plus \$150, plus \$2,500 =	\$ 3,400
Rockville	\$250, plus \$2500 =	\$ 2,750
Montgomery County	\$2,684, plus \$1,391, plus \$310 =	\$ 4,385
Current Takoma Park	\$250, plus \$1,250 =	\$ 1,500
Proposed Takoma Park	\$500, plus \$1,500	\$ 2,000

Example 2 - 1.6 acre site, commercial redevelopment, total impervious area is 62,300 square feet, no new impervious area, cost of SW system is \$48,000, 5,000 feet of disturbed area

Gaithersburg	\$750, plus \$150, plus \$4,800	\$ 5,700
Rockville	\$200, plus \$4,800	\$ 5,000
Montgomery County	\$2,684, plus \$1,391, plus \$310	\$ 4,385
Current Takoma Park	\$3,115, plus \$15,575	\$ 18,690
Proposed Takoma Park	\$1,000, plus \$4,000	\$ 5,000